

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Gebregziabher G. Seretse,

Civil No. 12-cv-323 (SRN/TNL)

Plaintiff,

**ORDER**

v.

Andersen Corporation,

Defendant.

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Gebregziabher G. Seretse, 545 North Snelling Ave, Apt 215, St. Paul, MN 55104; and  
David M Wilk, Larson King, LLP, 30 E 7th St Suite 2800, St Paul, MN 55101-4922 (for  
Defendant)

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Based upon the Report and Recommendation by United States Magistrate Judge Tony N.  
Leung dated May 15, 2013 (Docket No.43), along with all the files and records, and no  
objections to said Recommendation having been filed,

**IT IS HEREBY ORDERED** that:

1. Defendant's Motion to Dismiss (Docket No. 16) is **GRANTED**;
2. Plaintiff's Motion to File Amended Complaint (Docket No. 36) is **DENIED AS MOOT**;
3. Plaintiff's improperly captioned "Notice of Motion and Motion to Dismiss"  
(Docket No. 37) is **TERMED**; and
4. This matter is dismissed without prejudice.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: June 4, 2013

s/Susan Richard Nelson  
The Honorable Susan Richard Nelson  
United States District Judge